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March 12, 2024

VIA ECF

Hon. Jose R. Almonte, USMJ
United States District Court for the District of New Jersey
Martin Luther King Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: *Beth Berkelhammer, et al. v. ADP, Inc., et al.*
Civ. No. 2:20-cv-05696-ES-JRA

Dear Judge Almonte:

As the Court is aware, Plaintiffs were allowed to amend their complaint and to add nine new defendants. (ECF No. 221) These newly-added defendants have not yet appeared in the case. The previously served ADP Defendants write this letter to ask for more time to respond to the March 11, 2024 Second Amended Complaint filed by Plaintiffs (ECF No. 223) so that a single response to the Second Amended Complaint can be filed on behalf of all defendants or, at a minimum, so that all defendants will file their responses at the same time.

Pursuant to the Court's Order granting in part and denying in part Plaintiffs' motion to amend the amended complaint (ECF No 221), the response to the second amended complaint is presently due on or before March 18, 2024. On March 11, 2024, Plaintiffs asked Defendants if they would accept service on behalf of the existing defendants.

The second amended complaint names nine new defendants. To date, these new defendants have not appeared and have not been served or waived service. The undersigned do not have authorization to accept service for the new defendants. The previously served ADP Defendants submit that maintaining a single response deadline will avoid piecemeal litigation and potentially enable the new defendants to join in the response to the second amended complaint of the previously served ADP Defendants. Therefore, the previously served ADP Defendants respectfully request that the Court extend the current March 18, 2024 answer deadline to a single deadline corresponding to the deadline to answer of the newly added defendants. Undersigned counsel are working to contact the new defendants and will provide Plaintiffs' with their position on accepting service as soon as they have it. Counsel will notify the Court via letter of an agreed proposed Second Amended Complaint response deadline.



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The previously served ADP Defendants do not anticipate that this request will delay the present schedule or require it to be altered.

On March 11, 2024, the previously served ADP Defendants conferred with Plaintiffs regarding this request. On March 12, 2024, Plaintiffs in response stated that they do not oppose.

Respectfully submitted,

s/ Eric H. Jaso

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